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COHEN MILSTEIN

August 13, 2021

VIA ECF

MEMO ENDORSED

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Iowa Pub. Emps.' Ret. Sys. et al. v. Bank of Am. Corp. et al.*, No. 17-cv-6221 (KPF)

Dear Judge Failla:

Plaintiffs respectfully request leave, pursuant to paragraph 9(c)(ii) of this Court's Individual Rules of Practice, to publicly file a revised redacted version of their letter-motion to compel depositions, and to seal the previously filed redacted letter (ECF No. 446).

On August 5, 2021, Plaintiffs filed a letter-motion to compel the depositions of certain individuals whose declarations were included with Defendants' class certification opposition papers. (ECF No. 444.) On August 6, 2021, in response to Defendants' request, Plaintiffs refiled a redacted version of that letter-motion and a letter-motion to seal the prior filing. (ECF Nos. 445, 446.) On August 12, 2021, Defendants informed counsel for Plaintiffs that three names were inadvertently unredacted in the original redacted letter-motion and requested that Plaintiffs refile the letter-motion with additional redactions and seal the prior filing, a request to which Plaintiffs consent. The same reasons supporting the sealing of the prior filing support sealing this one.

Pursuant to Section 21.7 of the Court's Electronic Case Filing Rules & Instructions, Plaintiffs contacted the ECF HelpDesk to request that the filing be temporarily sealed and made inaccessible to PACER users. The parties now request that the Court permanently seal Plaintiffs' partially redacted letter-motion to compel. (ECF No. 446.)

Respectfully submitted,

/s/ Michael B. Eisenkraft
Michael B. Eisenkraft
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/s/ Daniel L. Brockett
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Application GRANTED. The redacted portions of Plaintiffs' submission referenced above may be filed under seal, viewable only to the parties and the Court. The Clerk of Court is directed to terminate the motion pending at docket entry 456.

SO ORDERED.

Date: August 13, 2021
New York, New York

Katherine Polk Failla

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE